



Docket No.: 066778-0130

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of : Customer Number: 41552  
Selsted, Michael E., et al. : Confirmation Number: 6942  
Application No.: 10/009,317 : Tech Center Art Unit: 1653  
Filed: November 09, 2001 : Examiner: Desai, Anand U.  
For: ANTIMICROBIAL THETA DEFENSINS AND METHODS OF USING SAME

**CERTIFICATE OF MAILING (37 CFR. § 1.8(a))**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail as First Class Mail under 37 CFR 1.8(a) in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Feb 22, 2007.

  
Lori Ford

**NOTICE OF APPEAL  
FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated August 22, 2006, of the Primary Examiner finally rejecting claims 15-22, 33-35, 51-54, 84-90, 106, and 109.

Appeal Fee: \$250.00

☒ Charge to Deposit Account No. 502624.

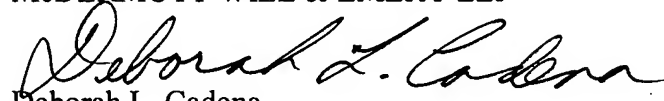
02/28/2007 SSESHE1 00000038 502624 10009317

02 FC:2401 250.00 DA

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Deborah L. Cadena

Registration No. 44,048

4370 La Jolla Village Drive, Suite 700  
San Diego, CA 92122

Phone: 858.535.9001 DLC:llf

Facsimile: 858.597.1585

**Date: February 22, 2007**

**Please recognize our Customer No. 41552  
as our correspondence address.**